

176
A
1576
LETTER

To A, B, C, D, E, F, &c.

Concerning Their

ARGUMENT

ABOUT A

Standing Army;

Examining their Notions of the supposed *Gothick*, or
other Ballance, by the Constitution and Interest of
the *Englisb* Monarchy.

You are weighed in the Ballances, and found wanting.

— — — *Vel Brutus amaret,
Vivere sub Regno tali.* — — —

LONDON Printed for D. Brown, at the *Black Swan* and Bible
without *Temple-Bar*, and R. Smirb at the *Angel* in *Lincolns-Inn-
Fields*; and sold by E. VVbitlock near *Stationers-Hall*, 1698.

LETTER

ARGUMENT

THE

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A LETTER to A,B,C,D,E,F, &c.

Concerning Their

ARGUMENT

ABOUT A

Standing Army.

Believing, Gentlemen! that I have given as good Proofs as any of you, of constant Affection to the true Constitution of the *English Monarchy*; I shall the less apprehend your Censure of (a) *Apostacy*, and being a (b) *Conspirator* against my Country, if I publicly dissent from your Politicks, till better Information.

I must own my self to be one of them, *who in the late Reigns* could hardly afford our Kings so much *Perogative*, as was necessary to put in motion this *Machine of our Government*: being assured, that whatever Power was either in C. 2. or J. 2. would be

used to Ends quite contrary to those, for which such Power was *Originally trusted* with the Crown.

And should you be uniform in your Notion of this Government, and hold, that it is nothing else but the *Meeting of your three States in Parliament*; I must own, there were Times when I was for clogging its *Wheels*: having seen how far the *long Pensionary Parliament* had advanced, towards putting on our Chains; till even they were sensible, that the Papists were supplanting 'em; and were turn'd to Grass, for presuming to enquire into a Plot, to which themselves had fortishly contributed.

After this, indeed, to follow the Allusion, the *Machine* began to move *naturally*; the Guards, and the Papists with their Adherents; were so inconsiderable an handful, in comparison of the People; that notwithstanding the utmost Exertion and Expences of the Court, and of some Great Men, who blindly served that Interest; and I may add, the whole *Posse* of one of the Ancient *States* of the Realm; the collective Body of the People, who, with a King at the Head of 'em, have fairer pretence to be the Government, than a Meeting of your *three States*; prevailed at Elections, to have such Men returned to serve in two successive Parliaments, as would in all Events approve themselves to be *Englishmen*: and, if they had been suffered to Sit, would have prevented that Necessity which we since had, of a Deliverance by a Foreign Power.

Then, I must confess, I was for rubbing up those old Manuscripts, together with an Obsolete Statute; which Question, the Prerogative, for sometime, ascribed to the Crown, to dissolve Parliaments at pleasure: I am sure, at that time, the *Machine* would have moved more *naturally*, without such Prerogative.

However, that was exercis'd with the loud Applauses of many of your *new Friends*, and *Mushroom Patriots*, who will fall from you as fast as they rose; and that the *Prerogative* might act more *naturally*, and perform its *Function*, the Charter of the City of London was condemned, by an Illegal, Unpresidented, and Arbitrary Judgment: Many others were taken away by Force, or Fraud, and new Charters granted; in some of which, not only the Governing part, who were possessed of the Returns, but the very Electors were named by the Court. And then the Meeting

ing of the King with the Lords, and these Garbled and new coated Commons, was what you call the *Government*: and according to your Notion, for the People to have cast them off, would have been Treason against the Constitution; tho as you may learn from Bishop *Bilfon*; the *People ever reserv'd to themselves a Power to preserve the Constitution.*

No doubt, your two States acted to your Minds, at their first Meeting the late King, when mighty Endearments pass'd between 'em: and They had certainly parted as kindly as they met, had not his Triumph over the Duke of *Monmouth*, with his blind Zeal for Popery, transported him to that Indiscretion; which made the then *Commons* see, the Papists were coming too fast and too thick into their Places: some, they would have been contented with, and would have suffered the *Frogs to croak in the King's Pallaces*; but were loath to quit the Rooms to 'em.

But whatever you think, I can never reckon, that the Government was then possessed by *Patriots*: and I shall refer it to cooler Heads, whether I ought to incur your warm Censure? if I think your Argument far from Demonstration, that, in our present Circumstances, we have no occasion for any regular Forces, or so much as the ordinary Guards: but that the Defence at Land, of our Religion, Laws and Liberties, under the great and glorious Preserver of them, ought forthwith to be trusted wholly with a Militia, which your selves confess, not to be yet sufficiently Disciplin'd, nor is according to your Scheme of Government; had its first Institution in the Reign of C. II. and since that time, has signaliz'd it self by such Noble Exploits, as by your own confession, the present Army can ne- Page 29
ver be brought to.

It is well known, and has been proved in Parliament, how that *Militia* broke in upon the Freedom of the Elections of Sheriffs for *London*, and made way for the false Return of Sheriffs chosen by the Court. This drew out that invaluable Blood, which ten times the number of the Forces then in Pay, durst not have attempted: that *Militia* interposed at Elections to Parliaments, as much as their Courage and Opportunities served, and often kept Electors by force from Polling, and terrified others

with their Muskets loaded with Powder and Ball ; and tho' they fought not against the Duke of *Manmouth*, made a more Barbarous War upon peaceable Voters for Parliament Men ; the having Voted for a good *English Man*, being ground enough for the committing Men to the Custody of these *Well-bred Gentlemen*, whose Insolence was much worse than the Confinement. And they who had the good fortune to be removed from them into Garrisons, found a Difference, enough to conquer all Prejudice against Regular Forces. Then, according to the known Observation of that great Man, Chief Justice *Hales*, "the Scarlet Gowns in *Westminster Hall*, were more dangerous and formidable than the Red-coats ; and the *bono placito* Judges, with bigotted Justices of the Peace, and Deputy-Lieutenants, loo'd on from the Pulpits, made a *Militia* much more destructive of our Constitution, than those Regular Forces are likely to be, which had as legal a Commencement, and have been made use of for better Purposes.

I know, Gentlemen ! That I Labour with a great disadvantage, in offering any thing against an Argument, which two sorts of Men industriously extol, as the most perfect that ever saw the Light ; and who have before-hand prejudg'd all answers as sad and contemptible. Therefore it will be requisite to shew some of your Imperfections, before I enter upon the Merits of the Question.

I will allow, that you have made a choice Collection of Events, which have happen'd in some Ages of the World, and in some Places ; and if *what has happen'd yesterday*, or in former times, will come to pass again ; and the same causes will produce like effects in all Ages ; the Story of *Pisistratus*, his making himself Tyrant of *Athens* by the allowance of fifty Guards, may be very pertinent to our Times. But when you think of the Matter again, you will qualify your Maxim, and confess, that the same causes will not produce like effects, unless the same Circumstances concur, in patients as well as agents. A little therefore, to follow you in your applying Scripture, I may say, most of your instances are like the putting *New Wine into Old Bottles*. But, to use the context, which occasion'd our Saviour's Comparison ; *Can you make the Children of the Bridegroom fast while the Bridegroom is with them ?* Or must an Argument against all regular Forces

Pag. 5.

Pag. 8.

Forces he good now, because it may be hereafter, or was in the late Reigns?

If according to one of *your* *Scoticisms*, there should happen a deposition of our Arms in other Hands than the *Militia*; that is, Pag. 7. as far as I understand the Dialect and the Subject Matter; if we should wholly lay aside our *Militia* for an other Land-Force; then, and not before, might your diverting Story of the *French Colony* in the *West Indies*, who made their Slaves carry their Arms, be very pointing.

When you can make a set'd Government of that Parliament, as you call it, under which you say *Oliver Cromwell* serv'd, or Pag. 10. of that Government which General *Monk* displac'd, to bring in Pag. 28. *Charles II.* then you may have the greater colour to suppose as much probability, that King *William*, or his *Protestant Successor*, should use the Army to destroy our Constitution; or that the Army should bring in King *James*: And with the same strength of Imagination, with which you now apply those Examples, you may believe, and expect to persuade others, that *Cromwell* enslav'd the Nation with an Army of but 17000, and that this ought to warn the Lords and Commons against trusting His Majesty with the like Force, tho' all or much the greater part compos'd of *English Men*: but upon second thoughts, possibly, you may confess.

1. If *Cromwell* left behind him but 17000 Men; yet 'tis no Argument, that he made use of no more in the bringing about his design: and 'tis certain more had been under his Command, in *England, Scotland, and Ireland*.

2. If that instance were to the purpose, it would as much conclude against trusting the King with the Command, even of the regular *Militia* which you propose.

3. If *Cromwell's* Government was as much the choice of the People, as the Government which gave way to him: this cannot be imputed to the Army, but rather to the Inclination of the People to a Monarchical Government: and it is pass'd doubt that he had made himself King, with the full consent of the People, if he had not feared the Army, who in your sense, were the most opposite to his Enslaving the Nation.

4. In thinking that he Enslav'd the Nation, because of setting aside a Limb of a *Parliament*; you seem more Common-wealths-
Men

Men than Mr. *Harrington*, who certainly meant *Cromwell* by his *Archon*, in whom he thought it necessary to have a Legislative Power lodged; because, unless it were in a single Person, the Nobility and Gentry could never be brought to his Opinion: and indeed *Cromwell* may be thought possess'd with that Notion, when he encreased the number of the Representatives for Counties.

Pag. 6. If you build upon Mr. *Harrington's* Foundation, 'tis certain you can have no other *Archon* but K. *James*, or the K. of *France*: for you shew plainly you will not trust him, who like another *Moses*, has brought you to that prospect of the *Land of Promise*, which you so pleasantly entertain your selves with, and seem already to possess in thought.

Pag. 7. And when we are in that *Utopian State*, with which some very few Men's Brains are heated; then it may be proper to observe what Maxims prevail'd among the *Athenians*, *Corinthians*, and other petty *Grecian Common-wealths*: But I must not allow Pag. 6. you the *Israelites*, either before they had a King, like the Nations round about them, or after: Not before, because, contrary to The *Israelites*, *Athenians*, your supposal, they suffered some of their Subjects to make War Pag. 7. their Profession, having Men of *War* distinguished from others; but chiefly, because God himself was not only their Lawgiver, but kept the Administration in his own hands; and then there was nothing for your Ballance, between natural and artificial Strength, to work upon: nor could your *Machine* move more naturally, after a King was appointed; for the same Divine Authority fix'd the Bounds between the Prince and People: in Differences between 'em, which would admit of ordinary Remedies, the *Sanhedrim* had some Power to keep the Ballance even. In extraordinary cases, God himself, interpos'd, thro' the Ministry of the Colledge, or order of Prophets, which was to continue to the coming of the *Messiah*; or, by the Illumination upon the *High Priest's* Breast-plate: but to confess my Ignorance, you are the first that instructed me, in their wearing the *Urim* and *Thummim* on their Backs, as well as Breasts. If we consider the ordinary means their Kings had, of supporting their Power, and protecting their Subjects; what think you of the selected Band of 3000, of which 2000 attended upon their first King, 1000 upon his Son? Or do you believe *Samuel* a false Prophet, when

Vid. Dedic.

when, describing that manner of their Kings, which some of your Friends have argued to be their Right? He tells 'em,

'He will take your Sons, and appoint 'em for himself, for his Chariots, and to be his Horsemen; and he will appoint him Captains over thousands, &c. and he will take your Fields and your Vineyards, and your Olive-Yards, even the best of 'em, and give them to his Servants.

Notwithstanding which, *David* made an Honourable Defensive War against King *Saul*, and once had the King's Person in his power.

And afterwards, when *Rehoboam* went to *Sechem*, where all *Israel* held a Convention for the making him King; he having headily rejected those Terms, upon which the Crown was offered; was forsaken by ten of the Tribes, who were a regular Army, with Tents ready pitched in the Field; and no sooner was the word given, to your Tents, O *Israel*! but they were in a condition to chuse a new King, and to make good their Choice.

But I wonder not, to find you confound Examples of the *Israelites*, and other People, when respectively under different Forms of Government; since your Notions of those Governments which you would be thought best to understand, are confused, and ill judged; the manifestation of which, might supersede the trouble of tracing you from Mr. *Harrington's Oceana*, from whence you derive your *Gothick* Ballance, and Notions of the *Grecian* Common-wealths; which, how contrary soever, you would adapt to a Scheme of your own, Differing even from Mr. *Harrington*: and possibly, may think your selves able to new model this Government; the *Machins* of which, let me tell you, can never move naturally, but under a King. Yet of all Men, they, who are vain enough to think, if we should be deprived of his Majesty, the Light of our Eyes, a Common-wealth would (like a new Creation,) rise out of that State of Darkness and Confusion; have the least cause to inveigh against an Army: for if (as you observe) Sixteen Roman Emperors out of Twenty six, were Pag. 27. *deposed and murdered by their own Armies*; according to your Inferences from what has hapned, an Army is most likely to give you opportunity of new modelling this Government. But I may well say, having your Authority for it, it is not to be conceived,

*That the Nobility and Gentry will join in an unnatural Design, to make void their own Titles to their Estates and Liberties; and therefore your Author will tell you, that they are not fit Subjects for a Common-wealth, unless they will mightily abate of their Plumes. But that virtuous Army, which you applaud, had it in their heads, that they were endued with all the Virtue of the Nation: hence they garbled the House of Commons, till they got a *Junto* to Vote no farther Treaty with K. Charles I. The Agitators and Levellers of the Army, proposing to themselves that *Agrarian* Law which greater Men had attempted in vain; were very sanguin in their Hopes of bringing things to Mr. Harrington's Balance of Power, in Property, more equally divided than was allowed in that Law, by which Men enjoyed their Honours, and other Inheritances. For the sake of this, the Constitution was to be inverted; and, according to your *Grecian* Schemes, the Commons were to Engross the Power, and Lords to come down to their Level.*

These *Chimera's* encountering and prevailing over the Phantom of an Absolute Power in the *Prince*, derived down from *Adam* (where-ever his Heir, who had the *Divine Right* of it, hapned to be) brought C. I. to the Block; under an Upstart Court of Justice, which derived its Authority from the Army.

Upon which occasion, I cannot but think, that those Denunciations of Judgments against the whole Nation, which are thundred from the Pulpits every *Thirtieth of January*, for the Death of C. I. are just as proper as your Examples now, of what has hapned in *Common-wealths* many Centuries past.

But pray, Gentlemen! be not so fond of your Notions, as from your Maxim, *what happened yesterday will come to pass again*, to conclude, that because there once was a prospect of your Promised Land from *Mount Pisgah*; when some were elevated to the Hopes of Establishing that State, which, like another *Delos*, the Birth-place of *Apollo*, had long been floating in their Imaginations; that therefore you can come so near again.

You may remember, that it was the Observation of a Great, tho' Unfortunate Man, since Dead, who used to entertain himself with such Schemes, that *there is not Virtue enough in the Nation for a Common-wealth*: Besides, where are your *Effect's*,
Fair-

Fairfax's, and *Cromwell's*, to execute such great Undertakings? And what likelihood is there of a Concurrence of those various Circumstances, which brought it upon the Stage, as a transient Scene? Tho' we will allow Mr. F — n, not to mention any other, like *Julius Caesar*, to excel *tam Marte quàm Mercurio*; yet there is now no probability of *Laudean* Impositions, to bring *Scotch* Generals hither.

But, as our Question relates to the *English Government*, you must pardon me, if I doubt, whether you understand our Constitution as well as you would be thought to understand the Constitutions of all other Nations, but chiefly of *Republicks*.

If the meeting of *Three States* in *Parliament* is what you call our Pag. 3.
Government, where is our Government while there is no meeting of *Parliament*? By what Authority do they meet? And from what Authority can our Country, when under any unhappy Necessity, defend it self by Arms against the Ambition of its Governors? Or chuse New, upon any Forfeiture, Dereliction, or other Vacancy of the Throne? Page 12.

You seem to be very conversant with the *Gotbick Balance*, which you say, upon Mr. *Harrington's* Authority, not observing to what end he used it, was Established in all Parts of Pag. 4.
Europe: Now Gentlemen I should be obliged to you, if you would vouchsafe to inform me, in what part of *Europe*, King, Lords, and Commons, have made the *Three States*? As you are acquainted with the best Authors, I doubt not but you often meet with the *Ordines Regni*: I need not put you in mind of *Grotius*, *Comringius*, and others, since you have so lately read Mr. *Harrington*, from whom, in this particular, you take the liberty to dissent: but I would gladly learn, whether *Ordines Regni*, and *Status Regni*, are used in different Senses, in any of those Approved Authors? And whether they were not the *States* of a Kingdom, which *Grotius* held to have Authority to Resist a King, if he should Usurp upon what was duly vested in them?

Farther yet, when we had Leagues with *France*, and even with *Scotland*, Ratified by the respective Kings, & *tres Status utriusq; Regni*, how could any of those Kings be One of the *Three States*?

Truly, Gentlemen! with submission to your Judgments, I must needs say, I see no harm in admitting that the Clergy are

one of the *Three States*; not only as the Legislative Power has given Law to these *States*, in limittin^g their Power, and setting aside part of 'em, the Mitred Abbots; but as a *State in Parliament* is far from implying a *distinct Negative*: For if it does, according to the Ancient *Modus tenendi Parl.* there are *Five Negatives*, besides the King's: And according to a Statute which I could shew, the *Citizens* and *Burgeses* are not only a *distinct State*, but the only Commoners represented in Parliament.

If still you would be understood according to common speaking and intendment, in relation to the *distinct Negatives in Parliament*; then you must give up the Controverlie which your Predecessors had with King C. I. about the doubtful meaning of *leges quas vulgus elegerit*, by which the Commons urged, that the King was obliged to pass whatever Laws they should chuse; though, as Truth is my Master, I must tell you, that Clause is no part of the most Ancient *Rituals*, before, or since the *reputed Conquest*; nor is it now kept in.

However, I conceive you would be hard put to it to prove, that *Three distinct Negatives* have been Established all over Europe by the *Gothick Ballance*. Suppose one should be at the Pains to prove, that Lords and Commons Voted together, for several Reigns after the *Norman Revolution*; and if, after the Division of the Two Houses, one should shew you several good and binding Laws, by Virtue of the King's Answer to the Petition of the Commons, (admitting that it were not without the Advice of the Lords) how many *distinct Negatives* were there during those Times?

To tell you the Truth, in this particular as in others, I could shew you, the tacit Consent of the People, in suffering Matters to grow into Customs, together with Laws chosen in Parliament, have varied the several Means of Preserving our *Fundamental Constitution*: But if one can well apply an uncertain Notion, the Ballance has been sometimes chiefly with the *Lords*, sometimes with the *Commons*; and, tho' the *Ballance of Property* was never with the *King*; the great Merits and Reputation of some of our Kings, have placed the *Ballance of Influence*, which insensibly subdues the greatest *Natural Strength*, chiefly in them: Nor can I be thought to Flatter, when I say, the *Ballance* not only

only of this Nation, but of *Europe*, is in the Hands of *King William*; who uses his Power so much for the good of Mankind, that it must needs take from the popularity of any Method likely to remove it out of his Hand; after he has Gloriously wrested it from a Powerful Prince, with vast Forces, entirely United, and Governed by the most Consummate Humane Wisdom and Experience.

But, Gentlemen! how much soever you may oblige His Majesty, by your generous Confidence in him, suitable to those inestimable Benefits you have received from him; certainly, the *Nobility*, and *Gentry*, are much beholding to you, for your recommending the Re-establishment of the *Tenures*, which had so long been their Grievance, and the destruction of so many Families: for you in effect, tell 'em, without a *Militia* so constituted, there can be no Safety.

But, since you intimate, that all Nations, who have preserv'd their Liberties, preserv'd 'em by a *Militia* thus constituted. I thank you for supplying me with an Argument, which I never thought of, against the Supposition, that *feudal Tenures* were Badges of a Conquest by the *Normans*: for, it should seem, they were in use among the *Athenians*, *Achaians*, &c. but then, how came they from the *Gothick* Ballance, which must be agreed, to have had a much later Establishment? And if your main Hypothesis fail, what becomes of an Argument founded upon it?

If you will say, That how great soever our Mistake may be in this, the Substance is true, That the *Militia* must consist of the Proprietors, or we cannot be safe: and this is illustrated by the instances, where other Armies have destroyed the Governments; but they which have flourish'd for any time, always preserv'd this Method; if still the *Militia* you now contend for, be not such an one as obtained in those Governments, nor anciently here, do you not conclude either contrary to, or without Premises?

After all, I take our *Saxo-British* Ballance, to be much better, and of greater Antiquity and Security, than your *Gothick*: which you may remember, your Master mentions by way of diminution, as of barbarous Extraction, and fit to be abolished: and yet this, which that more skilful Master-Builder rejects, you would make your *Corner-Stone*.

Our *Ballance* is neither your *Gothick*, upon *Tenures*,

Tenures, nor Mr. *Harrington's Agrarian*; which, notwithstanding the vast encrease of the Riches of this Nation by Trade, and the great interest that Cities and Boroughs have had in the Government, from before the *Saxon Times*, would fix it upon Property in Land : but, as the Liberties of this Nation, have been the true ground and encouragement to preserve 'em, the *Corner-stone* of that Liberty was laid in a Free Election of the chief Officers both in Church and State, or at least, of the means to support 'em; and this by the People of the Land, in whose Hands the true Balance of Property, has resided : This is the most visible means of preserving the distinct Rights of *King, Lords, and Commons*, and has a mighty tendency towards keeping the *Balance* of Power in a due libration, turning it sometimes one way, and sometimes another, according to present Emergencies : and whatever Shocks may have hapned, from unforeseen Accidents, and extraordinary Interpositions, or Permissions, of a Power over-ruling all Events : This has preserved, not only the Outward, but the Essential Form of our Government.

Pag. 4. The Lords were not, as you imagine, the great Commanders over the *Militia*, meerly by Virtue of their Castles and *feudal Honours*, but by the free choice of the People : and those Honours and Authorities which have gone along with Tenure, proceeded from the same Choice ; without which, the *Saxon Kings* could not make any Grants of that kind.

Pag. 5. You say, more truly then you think, That the *Militia did consist of the same Persons as had the Property* : But then you must agree, that without the Obligation of Duty and Oaths, upon your supposed Balance between the *Natural and Artificial Strength*, no Prince could have been duly secured ; unless you come to the down-right Common-wealth Principle, that a Prince ought to have no Power to defend himself, if they who have the *Natural Strength* should think fit to remove him, tho' without any cause, but a sudden Humour, or groundless Jealousy.

But you may learn of Mr. *Harrington*, That the Modern *Militia* is directly contrary to all his and your Politicks : you have
Pag. 6, 7. learnt from him, ' That the *Israelites, Athenians, Corinthians, &c.* trained their own Citizens, and the Territories about 'em, perpetually in Arms ; and their whole Common-wealths ' by

‘ by this means, became so many several *Militia’s*. A general
 ‘ Exercise of the best of their People, in the use of Arms, was the
 ‘ only Bulwark of their Liberties, &c. Their Arms were never
 ‘ lodged in the Hands of any, who had not an interest in prefer-
 ‘ ving the Publick Peace, who fought, *pro Aris & Focis*. In
 ‘ those days, there was no difference between the Citizen, the
 ‘ Soldier, and the Husbandman.

But Gentlemen ! Is this the case now ? *Risum teneatis Amici ?*
 Can you forbear Smiling at the simplicity of Mankind, to
 find, how many swallow your Notions ; because you talk so
 finely for Liberty, a *Militia* to defend it, and Engineering in
 your Studies ?

Pray read Mr. *Harrington* a little more carefully, before you
 attempt any more to build Castles at *Anticyra*. He will tell you,

‘ Modern Prudence is quite contrary unto the Ancient ; for *Oceana*,
 ‘ whereas, we excusing the Rich, and *Arming the Poor*, become f. 228.
 ‘ the *Vassals* of our *Servants* : they by excusing the Poor, and
 ‘ Arming such as were Rich enough to be *Freemen*, become Lords
 ‘ of the Earth.

Is not your *Militia* according to that *Modern Prudence*, which
 he condemns ? But surely, you have much better Heads than your
 Master, if meerly by such a *Militia* as he would have changed ;
 for that of the ancient Common-wealths, you think to establish
 one here ; or to retrieve the Glory of the *English Nation*, which
 as I shall shew, has been preserved by much better means than
 the imagined *Gothick Balance*.

To set your Mistakes in a true Light, I shall shew more large-
 ly, than your Arguments may require ; yet possibly, not without
 some Benefit to the Publick.

1. That our Constitution is of earlier Date, and more popu-
 lar than you with Mr. *Harrington* ; and Dr. *Brady* will allow, and
 was defended by another sort of *Militia*, than that by which
 you think it subsists.

2. The Situation of our Kingdom, has less secured the Con-
 stitution, than its own intrinsic Excellence, with the Valour and
 Integrity of the People : yet the continuance of our Constitu-
 tion to this day, has been chiefly owing to *Divine Providence*,
 supporting it under, if not by, Alterations in your supposed
Balance.

3. In your Notion concerning the Ancient and Modern means, of preserving our *Constitution*, you are inconsistent with your selves; the Author of your Politicks; the truth of History, and right Reason.

1. The Government you make to consist of *three States* united by *Tenures*, for Counsel and Fight: which you suppose to be derived from the Barbarous *Goths*. But I am afraid, you observe not what Company you keep, but insensibly fall into Dr. *Bradie's* Notion of the Tenants in Chief, with their Tenants by Military Services: yet I cannot say, but he might have learnt this of Mr. *Harrington*; and indeed, as it will appear, both have used that Notion to the same end: only, the Doctor has not the Gift of so much Consistency, as the Commonwealth's Man: for the Doctor, after he had supposed these *Tenures*, first brought in by an absolute Conquest, in another Book, without seeming sensible, that he labours against himself, spends some Leaves in proving these *Tenures* here before. But both are manifestly mistaken, in supposing, that the whole Kingdom consisted of 60000 Knights Fees, or such like number, furnishing so many Men for the King's Service, which (as Mr. *Harrington* thinks) were the *Militia* of this Monarchy; but, *Recta Linea est Index sui & Obliqui*, which encourages me to present some of the Out-lines of our Constitution.

Oceana,
f. 37.

I must take leave to dissent from their Opinion, who will have it an *exotick Plant*, from the *Romans*, the *Goths*, and the *Normans*; but as our *Druids* (who were skill'd in all the Learning of the *Grecians*), taught the *Gauls*, and *Edward the Confessor*, the *Normans*, I rather believe, the Neighbouring Nations refin'd themselves by our Politicks; who being a thinking People, of Martial Disposition, and great Integrity, took to our selves such Laws as we found agreeable to our *Situation* and *Interest*: and of such kind they were, that whatever people incorporated with us, tho' they might be indulged their particular Customs in some Districts or Colonies; the Fundamentals spread over the whole Nation, and that especially which *Rome* took from *Greece*; *Salus Populi suprema Lex esto*.

In pursuance of this, whatever Government prevailed among the several Divisions of Men here, upon any sudden danger, they chose one who was *Rex primus*, of the nature of a *Roman Dictator*:

tor: Thus, in the time of *Julius Caesar*, the *Supream Admini-* *Summa Im-*
stration of the Government, and the War was by *Common Council*, *perit Belli-*
 permitted to *Cassivelaun*: and, tho' *Caesar* has no occasion to ob- *que admini-*
 serve the Nature and Power of our *Common Councils* then, yet *strandi, com-*
 we may very well understand 'em from those of the *Gauls*, the *munii Consi-*
 Disciples of our *Druids*. *lio permissa*
est Cassi-
vellano.

Then indeed, the *Plebs* were not admitted to their *Councils*; but they were only the Servants: all the rest, were either *Druids*, or *Soldiers*. All these were Members of the *Great Council*; but yet the Government was not according to your Scheme: for the *Druids* were wholly exempt from the Wars, and yet maintain'd an Authority so far, that the Judicial Power resided in them; and at a certain time of the year, all People took the Law from their Mouths.

This Authority was of a long continuance; tho' there was not your Libration between the *Natural* and *Artificial Strength*: and indeed, 'tis a common Observation, that in almost all Governments, the *Moral Power*, which you call the *Artificial*, is weaker than the *Natural*; and yet, Sense and Duty, and common Conveniencies, but above all, Divine Providence, hold 'em very well together.

But, whatever were the Authority of the *Druids*, or yet of their Princes; it was not permitted 'em, to entertain any Debates concerning the Commonweal, or Interest, but in the *Great Council*. And how much soever, the free Exercise of the *British Liberties* might sometimes be restrained by the *Romans*, 'tis certain, upon being forsaken by them, they chose Kings to themselves, and often set 'em aside; sometimes with cause, sometimes without. Thus it was, till the coming of the *Saxons*: soon after whose Entrance, there certainly rose among the *Britains*, that *Inclitus Rex Arthurus*; whose whole Character, some will have to be Fabulous: but I have it from Authorities much more ancient than *Geffrey of Monmouth*, that he was *Dux Bellorum*. I can shew an *Inspecimus* of a Charter of *Hen. II.* which proves a Charter of that *Inclitus Rex Arthurus*, then extant: an Author of no mean Repute, who seems to have Transcribed part of the *Domebec*, or Book of Judgments, referr'd to in the Laws of *Edward*, the Son of King *Alfred*; derives Customs down from the time of King *Arthur*: and the *Confessors Law* receiv'd, and

De Republica, nisi per Concilium, loqui non conceditur.

Inter Ann. 514 et 515

sworn to by *W. I.* shews, that King *Arthur* laid the Foundation of the *British* Monarchy, by providing, that there should be a *Folcmote*, or Assembly of all People and Nations, under the King's Protection and Peace: where they were by *Common Council*, to provide for the Indemnities of the *Crown of the Kingdom*, and for suppressing the Insolencies of Malefactors, for the good of the Kingdom.

This *Folcmote* was, by that Constitution, to be held at a certain fix'd day: the the Princes, Earls, and all the *Free-men* of the Kingdom, were to be *Sworn-Brethren*, to defend the Kingdom, with their *Lord the King, his Lands and Honours*.

In this of being *Sworn-Brethren*, something of the *Frank Pledges* seems implied; but that Institution was at least greatly improved in the *Saxon* Times, when several Laws were made concerning 'em; but none that I observe, seem first to raise these Pledges, but to suppose 'em. The whole Nation of *Free-men* was by *Tenns* in a Company, and thence to *Hundreds*, to be Associated by Oaths, and Sureties for one anothers Obedience to the *King and Laws*. The Masters of Families were to be Sureties for their Servants; and if any Man refused to enter into this *Association*, or if others would not Associate with him, he was deemed an Out-law, deprived of the Protection of the Laws; and, to Answer your Tale of the *Wolves Teeth*, was held to have a *Wolves*

Pag. 18. *Head.*

For the better maintaining this *Association*, all Men were to furnish themselves with Arms, according to their Estates, Real and Personal; and at a certain Day in the Year, were in Person, to appear with their Arms, in *Cities, Boroughs, Hundreds, and Wapentakes*, and to be ready to obey the King's Command.

By Virtue of this Law, *Eshelred* caused all the *Danes* then in the Kingdom, to be kill'd in one day.

At these Times, the *Militia* and Civil Government, were entirely in the same Hands: but, if you resort to your *Ballances*, how much was there in it of your *Gorbick*, upon Military Tenures? or, how could the King, with the higher *Nobility* and *Clergy*, preserve their Authority against the Property in the others? which according to Mr. *Harrington*, will naturally carry the Power; or the *Natural Strength* of these Armed Proprietors; who, upon your Hypothesis, must necessarily have cast off both

both King and Lords : for you know, *it is universally true, that where ever the Militia is, there is, or will be the Government in short time.* But yet, notwithstanding the vast Over-Ballance of *Natural Strength* in the Proprietors of the Kingdom, who had such opportunities of executing any Design they should be tempted to, yet the Laws, enforced by the Religion of Oaths, for many Centuries continued to work Impossibilities, according to your Notion.

The *Machine* of our Government in those Times, may seem too large and unweildy for Motion, especially if it be observed, that for great part of the time, it took in the whole *British* Island ; having one King, who had the Style and Authority of King of *Great Britain* ; tho' that was often desultory, till it fix'd in the *West Saxon* Monarch.

But the Government, even in your sense, as a Meeting of the States of the Realm, will be more accountable, if we consider,

1. That till the time of *Cnut the Dane*, there was no one Monarch over the whole People, even of this Nation, any other-wise than as first King, or chief in Authority among others, who were Kings within their own Divisions.

2. That they had their distinct *Councils*, yet the *Saxons*, with their Kings, often met in the open Air, in General Councils of all *England* ; and yet the *Danes*, of whom we have little account, but in their Wars or Treaties with the *Saxons*, had *Councils* by themselves ; The *Welsh* with their several Kings, by themselves ; And from before the reputed Conquest, there was at least one Palatinate, where an Hereditary Earl with Regal Jurisdiction, held *Councils* of the nature of distinct Parliaments.

3. Sometimes the Laws of a *Council* at one place, were received and ratified at another, as may particularly appear in the respective Ratifications of Laws, by the Great Men, and Free-holders of *Kent*, and the Citizens of *London*, in their respective Courts ; and that, tho' it should seem that they had *Legats*, Deputies or Representatives, sent to the more General Councils.

4. The *British* Law of *Gavelkind*, which if we may credit that *French* Copy of Laws, which passes for the Laws of *W. I.* continued the Common Law of the Kingdom, even to that day ; as it multiplyed common Inheritances, it did Crowns, within the several Monarchies here : and when the Choice of the People

had made partitions between the Sons of their Kings, it became the more easy for the Freeholders, within the several Divisions, to meet in their separate Councils, without Representation.

5. It does not appear, that the Freemen, or other Inhabitants of Cities and Boroughs, who were not Proprietors of Land, ever came to the *Great Councils* in Person; nor does it appear, that any one ancient Charter, in express terms, gives 'em a right to send Members thither; but this was plainly the consequent of being a *Gilda Mercatoria*, or Fraternity for Merchandizing, or Trade; in which, they having a common Interest, might easily, and naturally unite, in trusting that Interest in the hands of Headboroughs, or others, whom they might chuse: 'tis certain, a Borough in *Devonshire*, has in Parliament claimed the Privilege of being represented by two of its Burgeesses, from the time of King *Athelstane*; nor was such Claim rejected.

Tho' there were Tenures in those days, they were not of any great weight in the Scale: three Incidents indeed, there were to all Lands, not upon the account of holding of the King, or any Person whatsoever, but in relation to the Preservation of the Kingdom; in which respect, owners of Land may well be called, as they are in numbers of Records; *Liberi Tenentes de Regno*. These Incidents were the Expedition, and the Repair of Public Bridges and Castles, in proportion to the number of Acres, and nature of the Soil. Divisions of Countries, I find as early as the year 664. by an Original Charter of that Date, and *Baronies* as it should seem, there being *Barons*: but if the whole Nation was divided into *Baronies*, it must have been chiefly for Civil Jurisdiction, such as inferior Lords of Manors exercised at their Leets; but the dependency of those little Baronies upon the greater, seems to have been the consequent of Charters of exemption from the Shire and Hundred Courts.

Which Charters were not granted at the meer Will and Pleasure of their Princes, but by the consent of their *Great Councils*; the want of which Consent, occasioned the Vacating some of 'em. One use of these, was, to make a certain Incorporation, uniting Men under one Head, who was the chief Officer, to answer for 'em to the Crown, in the Collection of Taxes; as I find the *Tunship*, that is, Township of *St. Edmundsbury*, by a Charter of King *Cnut*, put under the *Munke*, or Monk *Neade*, for

for the *Heregild* and *Shippild*, the Tax for the Army, Navy; for which, when Taxes were granted, Lands were *geldable*, according to the number of Hides; or otherwise, as they had been Surveyed before the supposed Conquest, and new valued after, as they grew better or worse. That Township, was for the purpose I have mentioned, to have no other *Hadesman* or *Headfman* but *Neode*, except their Bishop: and this Headfman, I take to have been their Abbot, or of that nature: such-like Matters obliged the Bishops and Abbots, often to come to Court, with the Temporal *Great Barons*. Certain it is, the Constitution of *Clarendon* in the time of *Hen. II.* in affirmance of the ancient Customs, before that time, require the Spiritual as well as Temporal Tenants in chief, (who were immediately accountable to the King, for what was granted by others under their Jurisdiction,) to attend him at his Court, at *Christmas*, *Easter*, and *Whitsuntide*; there they were an ordinary Council, and Judges under the King, and his *High Steward*: which great Officer, with the Martial, to execute the Process, seem to have been by Tenure, even in the *Saxon* Times: those Spiritual and Temporal Lords, I take to have been the Peers of the Kingdom, by whose Advice (according to the Confessors Law) the King was duly to Administer the Government; but in Matters of common Concern to the whole Kingdom, it was a received Maxim, *What concerned all, ought to be treated of by all.*

It must not be denied, That the Ballance of Power was then chiefly on the side of Property, and that, except in Cities and Boroughs, in Land, the Proprietors of which, as such, were the Judges in the County Courts, and from thence united in the *Great Council*: if with *Mr. Harrington*, we suppose the Land divided among the Tenants, by Military Services; then we may believe *Dr. Brady* to be in the right, that they were the only Members of the County Courts; but then, according to his first interpretation of King *John's* Charter, they, as the less Tenants in Chief, had general Summons to be in Person at the *Common Council* of the Kingdom.

That the Tenants by Military Tenures, were not the only Proprietors of Land, who were among the *Ordines Regni*, at the National Councils, before the time *W. I.* most will agree; nor is there colour to believe the contrary: but then many will have

it, that he in the right of a Conqueror, seiz'd all the Lands, and granted 'em out to his Followers, to hold by Military Tenure, that then begun your *Gothick* Ballance; but it will appear, that *W.L* entered with Title, from the Choice of the People of *England*, in the life-time of his Predecessor, and was elected after, upon his making a League in a Council at *Berkhamstead*, where the great Body of the *English*, who never came up with *Harold*, to the Battel; according to the sense of the Learned *Pufendorff*, which a certain Bishop has used to a quite contrary Purpose, continued in a State of War with *W.* till they had secured their Terms: after which, he was again formally Elected at his Coronation, upon taking the Oath of the *Saxon* Kings, and particularly, more than once, swore to the maintaining the Laws of the *Confessor*, or the approved Laws and Customs revived, or affirmed in his Reign. By one of his Charters, one would be induced to believe, that it was an ancient Usage received by him, to repeat the Oath every *Christmas*, *Easter*, and *Whitsunside*: that he did not possess himself of, or pretend right to all the Land of the Kingdom, is evident to demonstration, by the great Survey, called *Doomsday-Book*, in imitation of the like, made in the *Saxon* Times: yet a mighty Revenue fell into the Crown, by the Forfeitures of *Harold*, and others, who had taken Arms for *Harold*, or assisted him: of those Lands many were granted out by Military Tenure; which the Clergy would have an Argument, That the Nation was Enslaved, because they who had been exempted from all secular Services, were brought under this, tho' by a Law.

But it appears by that Survey, that great part of the Kingdom was omitted, being (as it should seem) exempted from all feudal Services; and even where the King's feudal Tenants are entered, we find many under them, who held upon their own, or Ancestors Right, and that in the same manner as in the time of King *Edward TRE*, which some, by an unlucky Blunder, have taken for *Terra Regis Edwardi*: among those under-Tenants, we find *Alodiaris*, who seem free from all feudal Services, and *Socmanni*, or *Socagers*; who, tho' they were Resiant within the *Socca*, or Jurisdiction of a Mannor, held either by a Rose or Pepper-corn, a small quit Rent in Silver, or the like.

However,

However, the weight cast into the Regal Scale, by the Forfeitures; most of which, I may admit, to have been granted out by Military Tenures, (yet not without a Parliamentary Consent) together with the Reputation of that King's Arms, and the Wisdom of his Administration, gave him an Authority, which freed the Crown from Pupilage: and yet, notwithstanding all the Advantages of Power, which he had, with the great number of Foreigners settled here, as an Army in perpetual Pay, of whom many, before they could gain Estates here, were Quartered upon Religious Houses, and by degrees, became their Tenants; *W. I.* neither did, nor could violate the Constitution of this Government, invade the Property of Particular Persons, or so much as pretend, to fix the Crown in his Family, without the consent of the Nation: but at his Death-bed, plainly enough declared, he had no right to do this; and that if he should attempt it, 'twould occasion greater Disorders than proceeded from his Accession to the Throne.

The freedom of the Elections of Kings of the *Norman Race*, and their obligation to keep the *Saxon Laws*, is manifest, by the Standing *Ritual* for the Coronation of the time of *Hen. I.* agreeing in Substance, and for the most part in Words, with that which was settled in the *Saxon Times*.

For some part, at least, of those Times, the Clergy were properly a third State, in *Mr. Harrington's* sense, having a third part of the Property in Land: but it cannot be said, that Property was so much the occasion of their standing up for the *English Liberties*, against the Encroachments of some of our Kings, as the subjection they were under to a Foreign Power: certain it is, their interposition often turn'd the Scale; but this was chiefly from a spiritual Authority, which is a Strength superadded, both to your *Natural* and *Artificial Strength*; and very often, if not for the most part, has disposed of both at pleasure: but Religion has nothing to do with your Politicks.

If we take a short View of the Period of Time, from the entrance of *W. I.* to the 49th of *Hen. III.* till which time, some will suppose, that *Mr. Harrington's Gothic Ballance*, continued it's *Libration*; it will appear, that there was neither the *Gothick Ballance*, nor *Mr. Harrington's*, nor yet your own.

When

When the Great *Councils* were summoned, upon special Occasions; not coming upon the usual fix'd day, the Tenants in Chief (for the most part, at least,) had special Summons, and all the *Libere Tenentes de Regno*, Freeholders of the Kingdom, as well as Tenants by Knights Service, had a general Summons: often all that were able, came in Person; and sometimes they chose Representatives: but the Citizens and Burgesses, who even after the Reign of *Hen. III.* were accounted the only Commons, sent their Representatives.

The Rise to the special Summons, as I can shew from an Author of the time, began in the Reign of *Hen. II.* after his Victory over his Son, and the Great Men; who, by the instigation of the *French*, and the Home-Clergy, joined in that *unnatural War*: but the Body of the *Freeholders*, the *Grands* of the Counties, was so Great, that as *Matthew Paris* says of the *Baronage*, or Nobility of his time, *Quasi sub numero non cadebat*, they were scarce to be numbred.

That the Freeholders were at the Great *Councils*, either in Person, or by Representatives of their own chusing, is evident by many Records, before the 49th of *Hen. III.* and *Dr. Brady*, the great Advocate for a Conquest, and your supposed *Gotbick* Ballance, which he takes to have been Established by that, has given up the whole Controversy, by an unlucky dividing the Clauses of King *John's* Great Charter; so, as to make the Tenants in Chief, a *Council* distinct from the *Common Council* of the Kingdom; and to allow, that the Interest there, of the Cities and Boroughs, and the Vills, Townships, and Farms in the Country, is expressly provided for.

About the latter end of the Reign of *Hen. III.* an Alteration as to the Members of the Great *Council*, seems to have been fix'd: numbers of the Principal Nobility having been crushed by the fall of Earl *Mountfort*, had their Estates confiscated, and were glad to venture their Persons in that War, which engaged the Zealots of that time, for the recovering our *Saviour's Sepulcher*. This made it the more easy for *Hen. III.* with the Citizens and Burgesses on his side, to lessen the Power of the Proprietors of Land, the ancient *Baronage* of the Kingdom; and to contest the inferior *Barons* with the Expectation, that in their turns, they might serve in Parliament, or be Represented by such as they should

should chuse. Yet at the first sending Representatives, and long after, they seem not to have put an entire confidence in their Deputies, but limited their Powers; and often, the Representatives would not venture upon *arduous* and unexpected Matters, without consulting their Principals.

But see how the Matter then stood, as to the Ballance between the *Artificial* and *Natural* Strength; the *Militia* still stood upon the old Bottom: every *Freeman* was bound to be aiding to the King, to prohibit *unlawful Force*, and punish Offenders; and, as late as *Ed. III.* Men were to be Armed *as in the time of his Progenitors*; were not to go out of the Shire but in cases of Necessity, and then were to Act for the *Defence of the Realm, as in Times past.*

I leave it for you to make out, how the Ballance stood within the several Periods; how upon comparing one Period with another; and how far the Constitution continued fix'd, if it subsisted by your Ballance.

2. In the mean while, I take leave to shew very briefly, that the Scituation of our Kingdom, has less secured our Constitution, than its intrinsic Excellence, with the Valour and Integrity of the People: yet, its Preservation has been chiefly owing to Divine Providence, supporting it under, if not by, some Alterations in the *Ballance.*

That the Scituation has not preserved the Constitution, is evident, because of the several successful Invasions of *Romans, Saxons, Danes* and *Normans*, I may add, of the *Picts* and *Scots.*

But, Gentlemen! you seem to have forgotten, that there is another distinct Kingdom, very Populous and Warlike, and an ancient Ally and Favourite of *France*, upon the same Island with us: in respect of which, we are upon a Continent which makes our State the less Secure.

And yet, it is the Observation of the Learned Chief Justice *Fortescue*, that this Nation has from before the Entrance of the *Romans*, been ever Governed by the same Customs, which must be meant of the Fundamentals of Government; and it is his Conclusion, that therefore they must needs be the most Excellent.

The Excellence of these Laws, has made 'em worth Fighting for; the Valour of the Natives has rarely been wanting in time of need; and the sincerity of their Intentions, was ever Crowned at the end.

But some there are, who would Establish a *Common-wealth* up-

on Mr. *Hobbs's* Principle, of considering Mankind as without God in the World: from whence they conclude with him, that *every Man will do all the mischief in his power.*

Whatever truth there may be in that Observation, I cannot but think, there is more weight in *Grotius* his Proof of a Deity, from the manifestations of that Providence, which has in all Ages interposed, for the preservation of that Form of Government which has been long Established, and Baffles the Contrivances of Men, who think to Govern the World by Principles of fancy'd Mathematical certainty.

But, tho' you may think it a strange Paradox, I need not scruple to affirm, That unless Providence had brought about Changes in the *Libration*, according to the various Exigencies, it had been morally impossible, that our Constitution should have continued to this day. I might shew this by several Changes which have happened in relation to each of your Estates: but, take the *Lords and Commons* to have consisted only of Tenants, in Chief of the Crown, and their Tenants by Military Tenures, or that other Freeholders had the same Right; it must be granted, that from the time that the Personal Right of the lower Nobility, was changed into a Right of Representation, the Ballance must needs have considerably altered one way or other: but, had the Personal Right continued to this day, the *Machine* of this Government must have been too unweildy to act regularly; especially since the Statute of *Quia Emptores Terrarum*, which has spread the Property of Land into more hands; besides the great Accession to the Power of the lower Nobility, by the Dissolution of Monasteries, and Distribution of their Lands.

3. Which leads me to the more particular consideration of your Comparison, between the present *Militia* and the Army in question; the Security from that alone, and the immediate danger to the Constitution, from this, or any part of it, even in Garrison: but, before I enter upon this, it will be requisite to shew, what is no part of the Question, tho' artificially interwoven with it; and what is the true Question.

1. The Question is not of a *Standing Army* to be brought into our Constitution, as a continuing part of it; but of the keeping up a Land Force, till the *King*, and his *Great Council*, shall think our Religion, Laws, and Liberties, are in a good state of Defence without 'em.

2. Much

2. Much less is it, of an unlawful Assembly, met, or kept together, without Law; such (as you say) the Pensionary Parliament voted a Nuisance; tho' I confess, I do not remember any such Vote: nor have I heard, that any Man had been sent to the Tower, for what he had said about Guards, but for counter-signing a Warrant for Commissionating a Popish Officer.

3. It is not of an Army of *Mercenaries*, who are kept up without the Nation's Pay, and Consent: which strikes off all your Instances of Arbitrary Power, supported by the Armies of the Grand Seigneur, and other Emperors, and Kings: who have colour of a Law, either for that Property in them, which frees 'em from any recourse to the Subjects Grants, or for that Authority which commands the Property.

And *your own Oracle*. would have taught you, that in those places the Property commands the Strength, and not the Strength the Property: but, indeed, that Property is far from his *Agrarian*. But methinks, you might have left *Sweden* out of your Catalogue of Kingdoms, Enslav'd by Armies of Mercenaries; since their Army is no other than a *Militia*; and the *Poles*, whom you own to be a Free People, have as much a Standing Army as the *Swedes*, only that they have not such an Establishment for their Pay. But, if the *Militia* should be Regulated, according to your Proposal, their Fund being perpetual, must render 'em more dangerous than an Army, which has no Pay, but from the free Gift of the People.

4. It is not, whether a *Militia* of Proprietors kept in Exercise, according to the Customs of those Common-wealths, which you propose as our Pattern, would not be the most likely to secure Property, after they were made serviceable.

But it may deserve consideration.

1. What may be thought of your Notion and Instances of Armies, within the Seat of Government?

2. Whether we have not formerly had, what might as truly be accounted a *Standing Army*, as this in Question? And what have been the consequences of such Force, or were likely?

3. Whether, since the Proprietors have forborn Exercise, and the lower sort of 'em have been Disarmed, to bring them in subjection to the present *Militia*; (and this, by your own confession, is not yet sufficiently Disciplined,) we may securely

Disband all the Forces, while *France* keeps up theirs, and King *James* is yet at *St. Germain's*, and has the Command of near 20000, *Irish*, *Scotish*, and *Englilh*, *Papists*, kept in Pay by Contributions from hence, or the *Romish* Clergy abroad; besides the several Regiments in *Lancashire*, and elsewhere, ready Lifted for his Service?

1. I hope you will pardon me, if I ask, What you mean by the *Seat of Government*? To keep strictly to your Notion of the *Balance*, it must be meant, either of your Subject of Power, the King, Lords and Commons Assembled in Parliament, or of the Place of their Meeting; from which, all but your Old Friends, would agree, That the *Militia* ought to be kept, as well as other Forces. And yet, not long since, one of those *States* desired Forces to Guard 'em.

But, if you mean, the place or places Inhabited by them, with whom the Right has resided, of consenting to Laws in Person, or by Representation; your Observation of the *Roman* Law against a Generals passing the *Rubicon*, will not be to the Point: since that River only parted *Italy* from *Gallia Togata*, which enjoyed the *Roman* Laws and Liberties: and either the generality of the Proprietors of Land, or at least the Citizens of *Rome*, who had their Country Villis there, or exercised Trades, were part of the *Rural Tribes*.

But speaking of the *Romans*, among others; you say, none of those Nations, while they kept their Liberties, were ever known to maintain any Soldiers in constant Pay within their Cities; according to which, unless your Rule varies in this, as in other Matters, by the *Seat of Government*, you mean the Capital City; and thus the City of *Rome* was the Seat of Empire: but then, this wise Observation comes to nothing; since no Man pretends, That Regular Forces should be kept up in *London*, or indeed, any where in constant Pay.

But surely, you are very unfortunate, in urging to your Purpose; either, 1. The Wisdom of the *Romans*; or, 2. The Story of *Julius Caesar*.

1. 'Tis certain, the *Roman* Politicks were quite contrary to yours: for they in Times of Difficulty, preserved their Liberties by Confidence, while you would ours by Jealousy; and if your own Maxim holds from what has been, we may conclude from the Precedents they have set, that it is safer for the People to trust a Great Man, who is concerned for their Liberties, with a Power, which possibly may be inurious to them, than not to give him Power to Guard 'em. You very well know, of what consequence the Authority of their Dictators was: and whether *Pompey* ever had the Name, I will not say; but that he was the thing is past question; he having been trusted with the absolute Command of their Land and Naval Forces for three Years, with Power to make War and Peace, and even the Disposing of Kingdoms: and yet there was no Mischief from thence apprehended, or found by them, who were possessed of the Government at Home, tho' they had but your Artificial Strength, while the Natural was so largely, and so long with him, as upon your Principle, must have wrought a Dissolution of their Government. And, 'tis as evident, that in another particular, they were far from thinking, that their Artificial Strength must be destroyed, if the chief Natural Strength were trusted in other Hands than their own Militia; since they frequently put it into the Power of their Allies, to ruin the *Roman* Legions, either before the Engaging with Enemies, or by turning to 'em in the heat of Action; two thirds of their Armies frequently being Auxiliaries, and therein Mercenaries: which may occasion your striking the *Romans* out of the List of your wise Common-Wealths.

2. Nor

He had under
him 120000
Foot, and 4000
Horse, besides
Power to make
new Levies.

2. Nor are you more Fortunate, in referring to the Story of *Julius Caesar*, whose Actions are a nearer Parallel, than you seem willing to believe, to those, for which future Ages will admire King *William*, as much as the past'd have *So Oceana*. that Great Man, who, in your Opinion, press'd on, to the total Oppression of the *Caesar's* Roman Empire: when, in all human probability, he alone preserv'd it. Of Arms extinguisht Liberty.

1. Who but *Caesar* could, at that time, have added so vast Territories to the Roman Empire: subdued the Warlike *Germans*, subtle *Gauls*, and desperate *Switzers*, with such handfuls of Men, in comparison; and Men, sometimes struck with the greatest panick Fears, forgetful of all their Discipline, and even of late Victories?

2. Who but *Caesar*, could then have preserved the Majesty of the People of Rome, violated in their *Tribunes*, by the insolence of the prevailing Faction of the *Senate*, who were upon Establishing an *Aristocracy*; or else of *Pompey*, who would bear no Equal; and thought his former Victories, and a more numerous Army under his Command than *Caesar's*, were able to set him over the Heads of Mankind? And who, tho' he had voluntarily quitted great Armies, while he maintain'd an unrivalled Superiority in the State, had certainly other Thoughts, when he found *Caesar's* Glory to diminish his.

3. Who but *Caesar*, would have used so much Lenity and Moderation, to a powerful Party at his Feet, which had been combined against him in Interest, and a mistaken Principle, of adhering to the supposed Right of that Government, which he displaced?

4. Who but he, could have removed the Prejudice against that Power which had been so tyrannically Exercised by their Kings, who had made that Name, so deservedly odious among them; and yet, not only maintained the Power without any such imputation, but left his Memory consecrated to all future Ages, by the most popular Affection that ever followed a Prince to his Grave?

5. Who but he, could have set a Pattern for Military Discipline, which all the Refinements of Modern Studies, and Experience, pretend but to follow?

6. Who but he could, next to his present Majesty, be a greater Confutation of your Notion, of Governing the World by your Ballance of *Natural Strength*, or Mr. *Harrington's*, of commanding Strength by Property, and that in Land? since the Life of *Caesar*, and his present Majesty, shew, That where the Divine Power marks out a Man for great Revolutions, it gives him an Authority of Influence, which is beyond all the Armies and Riches in the World. And I might add, that both their Lives are a confutation of your Principle; but rather Mr. *Hobbs's*, That every Man will do all the Mischief he can: and will, upon better Authority of Reason and Example, establish it for a Maxim, That only an ill Man will do all the Mischief in his power; but a good Man will exert his, in beneficence to Mankind. This is his chief and most natural Delight. I may add farther, to evince your unhappiness, in mentioning the Story of *Julius Caesar*, that his Army was not only composed chiefly of Citizens of Rome, and therein of the nature of your *Militia*, but had not been kept within the Seat of the Empire. And therefore, was improperly urged, to shew the danger of keeping a Standing Army of Mercenaries within the Seat of Government. Nor will your instance of the *Lacedemonian* Politicks hold, if they kept any Standing Army in the Province of *Laconia*.

What-

Whatever hapned thro' the prolonging *Cæsar's* Command, the wisest Man of *Vid. Cic. de that Age*, who ventured the farthest for the *Roman Liberties*, and shew'd, That *Prov. Consular*, he was far from being of *Cæsar's* Faction, insisted upon it, that tho' he had subdued the *Gauls*, there was not yet a Peace sufficiently settled; and if he were not enabled to finish what he had brought to that Head, they ought to fear the revival of a most dangerous War.

2. But, let us a little Examine, Whether, if by the Seat of Government, be meant the Kingdom of *England*? We have not been used to Armies, much more likely to overthrow our Constitution, than the Force in question can be imagined to be. If you think a little of our Story, and the nature of our Military Tenures, with the proportion they bore to all the *Freemen* of the Kingdom, who were to be Armed and Exercised according to the Discipline of those Ages, and the Advantages the others had, and sometimes took, of surprising them; you will find the Tenants by *Knights Service*, a much more numerous Army, with greater opportunities of destroying the Constitution; and that they went further towards it, than it can be thought, the Forces in question ever will, or can.

It is generally agreed, that these Tenants made above 60000 Men; they had been obliged to attend the King at his Court, three times a Year, where all received Liveries, or other Donatives; and they were bound to him in Oaths, distinct from the Oath of Allegiance, and without express regard to the preservation of the Kingdom. King *John's* Great Charter shews, that upon particular Occasions, they were all to be Summoned; and besides these, the Kings used to issue out Commissions of *Array*, or of that kind; one of which, I find as early as King *John's* time, to all who had, or could procure, and bear Arms, to be at his Pay. Besides these, the Kings had Soldiers constantly in Garrison, and often kept Foreigners about their Persons, and in such numbers, as to give Terror to the Natives. In comparison with such a Power, having such opportunities, What were the Proprietors of Land, and other Freemen, if the King at the head of his Tenants by Military-Tenure, and such Foreigners, Servants, and indigent Persons as he could raise, should have had a design to Engross the Property of the Nation? 'Tis certain, part of your *Militia*, but rather a Standing Army opposite to the *Militia*, joined with Foreigners, in supporting King *John* in as great Extravagancies as ever the savage Mind of an Arbitrary Prince was carried to; and so far they once proceeded, towards subverting the Monarchy, that he and his Barons, which, as appears by subsequent Declara-

Surely, this is not in Parliament, were not all the *Baronage of England*, but his Court, much more per- or Army of Tenants, by Military Tenure, made a formal Donation of the tinent, than the Crown to the Pope, and made the King the Pope's Vassal; to whom he and Story of a Gene- your *Militia*, endeavoured to subject the Kingdom: and yet, notwithstanding the ral, who slew Advantage of such an Army, and the Superstition of that Age, which disposed the Nobility at Men to submit to the Pope's Spiritual Authority, in order to Spirituals; the a Feast, which sense of the *English Liberties*, and that Spirit which has so often roused it any other trea- self for the defence of 'em, had such effect, as justifies the applying that of the iberous Man Poet,

might have done.

Strong Virtue, like strong Nature, struggles still,
Exerts it self, and then throws off the ill.

You seem to Triumph with your Questions to your Old Friends, whom you would have to be *Apostate Patriots* : 'How comes an Army necessary to our 'Preservation now, and never since the Conquest before? You desire to 'know, whether the prevailing Party in the Wars of *York and Lancaster*, ever 'attempted to keep up a Standing Army, to support themselves? and say, 'They had more sense, than to Sacrifice their own Liberty, and more Honour: 'than to enslave their Country, the more easily to carry on their own Faction. And farther, to gall the *Apostates*, as you call them, you ask, 'Whether the 'Spaniards were not as powerful, as good Souldiers, and as much our Enemies 'as the *French* are now? Was not *Flanders* as near us as *France*? And the 'Popish Interest in Queen *Elizabeth's* time, as strong as the *Jacobites* now? 'And yet you say, That most excellent Prince's never dream'd of a Standing Army.

To take a little Breathing-time, before one answereth such stabbing Questions; tho' I shall not raise a Dispute, Whether *Calais* is not nearer than *Ostend*? or, Whether all the Force of *Spain*, could so easily come hither from *Flanders*, as that of *France* from the several Neighbouring Ports? However, it may not be improper to ask you,

1. Whether you do not here, and thro' out your Argument, beg the chief Question, in supposing, that every Army which is composed of other Men than your *Militia*, is, and must be, a *Standing Army*?

2. Whether you do not go upon the Supposition, that because a Peace is Signed and Ratify'd, and we are, or may be, in such a State of Defence as you imagine, that therefore there can be no need of an Army, but to support a Faction?

3. Whether that *Faction*, according to the occasion of your applying it, must not be intended, that Party which would support the Right of his present Majesty, against the Pretensions of the late King?

But for a direct Answer to your Questions; I submit these Particulars to your consideration.

1. That the contending Parties at the time of the Division of the two Regal Houses, made use of all the Assistances they could gain, both of Foreigners, as well as the Subjects of this Kingdom: and particularly, the first who set up a pretence of Right against the Choice of the Nation, had so little Honour, as to endeavour to enslave his Country to an absurd Notion of *Divine Right*, and to cram it down with the help of Wild *Irish* Cut-Throats.

2. The prevailing Party in these Times, had the disposal of that Force, which, as I have shewn, was of the nature of a *Standing Army*, besides the *Auxiliaries*, by Commissions of Array, and the Souldiers in Garrison, both here, and at *Calais*, and other Parts of *France*; from whence, they could easily be brought hither.

Over and above all these, for full Answer to your whole Argument, but more particularly to your Question, Whether the prevailing Party in the Wars of *York and Lancaster*, ever attempted to keep up a Standing Army to support themselves? it will appear, that your Question here, was as hasty as your Censures: for they did the very thing, which you are sure they abhor'd; and the Commons of *England*, in your sense, Signed and Sealed their own Ruin.

Thus, 31 Hen. 6. they granted 20000 Archers for the King's Service, to be kept up for half a year: of these the King remitted 7000; but for 13000 every

Page. 30.
Cotton's Ab.

31 H. VI. n. 11.
17 n. 15.

ty County was to bear its proportion : These, I take it, the King had power of keeping up, for as many half Years successively as he thought fit : which I am induced to believe, by what is in *Cotton's Abridgment of the Year*, and the *Parliament Roll*, 12 *Edw. II.* when Arrears due, by Virtue of the Act, 31 *Hen. VI.* were remitted.

But *Hen. VI.* in consideration of a Sum of Money, granted by the Commons, besides what was appointed for maintaining the Army of Archers, was content to respite the Levying of 'em for three Years, unless drawn to it by great necessity.

And, probably, that very Respite cost him his Crown, or possibly the providing for their continuance, only half-yearly.

Rot. Parl. 12
Edw. IV. n. 8.

Rot. Parl. 13
Edw. 4. n. 41.

But the Parliament, 12 *Edw. 4.* being desirous to take more effectual care, for the *Weal and Surety of the Realm*, and the *King's Royal Estate*, gave him Power, by Persons whom he should ordain, to Levy 13000 Archers, to be kept up for a year at Pay, provided by Parliament : and the next Parliament provide for the same Number, for another year.

This, Gentlemen ! I hope, may satisfy you, That maintaining an Army of Mercenaries within the Kingdom, for a convenient time, is not Unparliamentary.

Whatever Advantages *Edw. IV.* might have had, for Enslaving the Nation with his 13000 Archers, to back the Divine Right which then began its Triumph ; yet, among the Restrictions which secured the Constitution, we may well suppose, there was some Force, in the remembrance that his Parliament did not suffer him to begin his Reign, before he had been formally *Elect* ; and after that, he was *Elect* again.

3. The Misfortune of *Hen. VI.* who was by a weak, or treacherous Counsel, prevailed upon to trust *Richard Duke of York*, with the Lieutenancy of *Ireland*, and other Advantages ; which raised him first, to a competition for Power, and then for the Crown ; may be of profitable Example to future Times.

4. It appears, that then, as now, they who were for the Duke of *York*, masked their Designs under the popular pretence of preserving the Liberties of their Country. This pretence set up *Jack Cade* with an *Athenian*, or *Achaian Militia*, of Coblers, and other Mob ; as they imagined, to reform the State : but in truth, only to change their Masters, and to sacrifice the more Divine Right, founded upon the choice and interest of the People, to a mistaken Notion, which, of it self, abundantly confutes your Fancy of supporting Governments, by a well-poizing the Balance between your three States ; since this Infamous pretence to Divine Authority, almost without Arms or Money, saps the very Foundations of Civil Governments, and greatly disables where it does not overthrow.

pag. 25.

5. I should think it past Question, That *Queen Elizabeth*, when threatened with the *Spanish Invasion*, did dream of what you account a *Standing Army*. Here I must take leave, to encounter the Authority of your Assertions with *Mr. Camden*, who informs us, That besides 20000 Men, which I take to be *Militia*, placed along the Coasts of *Sussex*, that excellent Prince's raised two Armies of Choice, well Disciplined, and Experienced Men ; one under the Earl of *Leicester*, consisting of 1000 Horse, and 22000 Foot, incamped at *Tilbury* ; the other under Lord *Hunsdon*, consisting of 34000 Foot, and 2000 Horse, to Guard the Queens Person.

And

And yet, the then Council of War, did not think this sufficient for the Defence of the Kingdom, against so powerful an Enemy; but advised the Fortifying and Manning *Milford-haven, Falmouth, Plymouth, Portland, Isle of Wight, Portsmouth*, all about the *Dowes, Thames Mouth, Harwich, Yarmouth, Hull, &c.*

That the Force then raised under those two Lords, was a *Standing Army*, within your sense, and apprehension of Danger, is evident: For,

1. It was not the ordinary *Militia* of the Kingdom.

2. It exactly agrees with your Definition of a *Standing Army*, where one of you takes to himself the Glory of the Argument: 'for here were *Letter from the* Horse and Foot raised under *Commissions* granted by the *Queen*, with Swords *Author of the* and Pistols, Pikes and Muskets, Powder and Ball, to kill Men. Or, if *Argument*, they had not Muskets, they had the most dangerous offensive Weapons *Pag. 5. Now* then in use, as well as defensive. *I'll tell you, Sir,*

Here was what you must confess to have been, of the nature of a *Standing what I apprehend* Army of 50000 Disciplined and Experienced Men: by your Argument, they *hence a Standing* ought never to have been raised, because of the danger of their *ing Army to be* being *always Standing*; and indeed, this must be supposed according to your usual way of begging the Question, and your very Definition of a *Standing Army*. And I should be glad to hear one good reason, Why 15000 or 20000, should be more dangerous now, than 50000 were then? Unless you will say, we have not so much reason to trust King *William*, as the Nation had to believe, that Queen *Elizabeth* would not use those Forces, for the destroying the Constitution.

Whatever her Inclinations might have been, the Power of *Spain*, and competition of the Queen of *Scots*, were sufficient Restraints; and no Man can imagine, that His present Majesty, who could not be tempted to invade the Liberties of *Holland*, at the Head of a Powerful Army, tho' invited, and pressed to it, by neighbouring Princes; should not think the Power of *France*, and pretended Title of the late King, to be strong Arguments on the side of that Moderation, and love to Laws; which, of themselves, without Foreign Considerations, may assure us, that it is morally impossible for His Majesty, to quit the Glorious Character of *Deliverer*, derived from his Ancestors, and imbellished by his own Actions.

Nor, need I observe the obvious Reasons, Why a Protestant Successor is less to be feared than a Foreign Popish Prince, who has 300000 Men in Pay; has a Navy at least not much inferior to Ours; and according to your Maxim, will certainly do all the Mischief in his Power; and has fewer Obstacles: For,

1. Due Provision is made, for the Meeting and Sitting of the Lords and Commons, upon the Death of His Majesty; which will give them the opportunity of making Terms, if they have any apprehension, that the Successor would make ill use of his Power.

2. The Successor coming to the Crown, by Virtue of the Act of Settlement, must necessarily stand upon that Bottom, which will make the National Interest his own.

3. By illegal Violences, he would make void his Title, and give that Advantage to the late King, or pretended Prince of *Wales*, which no Man in his right wits could.

4. The Recent Example, must needs be too fresh in his Memory, for him easily to give way to those Flatterers, who would pervert his Judgment.

5. It is not to be presumed, That the Revenue of the Crown will be cleared from Anticipations, and settled longer than for King *William's* Life: and Soldiers are not likely to serve a Prince, who can have no prospect of paying 'em without their consent, against whom you fear, they should be Employed.

I will agree with the judicious Author of the *Argument rediſſed*, That a Prince of the same Religion with his People, may be tempted to destroy one Party, for the sake of another; yet 'tis certain, no instance of this, is applicable to our present Circumstances: but, where the only Title by which Princes claim, is founded upon a Principle of Slavery, as is that Divine Right of Birth, ascribed to *James I.* and his Successors, till *William III.* no wonder, that they should be the only Favourites, who would contribute to the Enslaving a Free People: If the Nobility and Gentry, in
 Pag. 22. whose Hands you think the Nation will always be safe, are at any time given up to that Delusion; a *Militia* will do our business much more effectually than a great Force, tho' all Foreigners. If *Charles I.* had had 20000 Men before-hand with the People, had but the People been animated with a common sense of the Oppressions they lay under, and the Right the Constitution has given 'em of freeing themselves, that 20000 would soon have moulder'd away, or turn'd on the Peoples side for Bread. But, the most of the *Nobility and Gentry*, except them who had learn'd Wisdom at the Feet of *Gamaliel*, a Speaker of the House of *Commons*, so strongly supported the then Queen's Popish Counsels, that *England* had been lost, unless it had been help'd from *Scotland*: and yet Mr. *Hobbs* will tell you, *Charles I.* might have subdued all that oppos'd him, had he acted without any regard to the Constitution, and encouraged his Party with hopes of the Spoil of the Nation: that is, had not the King been better inclined than his *Nobility and Gentry*, the common Man must have worn Wooden Shoes before this time.

But, whatever the chance of Civil War has, or might have been, 'tis impossible that a Nation divided against it self, between Friends and Enemies to *Liberty*, should long stand. If the Divisions grow high, and towards an equality, this will destroy the Constitution without Armies: which was evidently the Case of *Denmark*, however you are pleased to represent it.

I wish I could say, we have no Divisions of any consequence among us; yet I cannot but say, 'tis to me matter of Astonishment, that Men, whose love to the Constitution of this Monarchy, had subjected 'em to the Scorn and inhuman Violencies of your *new Patriots*, should, out of simple good Nature, quit those Advantages which this Revolution had given 'em; not only to secure themselves against Tyranny for the future, but to turn the Scale of Power to their side: and that, while *Liberty* is the Word, taken up by those who must mean a Freedom from this Government; honest Men, who lay gasping at the Feet of these *new Leaders to Liberty*, should chuse, for the sake of the Word, to give themselves up to their former State of Bondage; when they might be secured of *Liberty* by

by that Power, which restored it; nor, unless they give in to their former *Task-masters*, need fear, as you suggest, that those should supplant 'em in a Prince's Favour, to whom they must be true, if they will be true to their own Principles; while the others at the best, can be but *Renegadoes*: and yet, *Deserters* from the Enemy, will certainly deserve more Favour than our own *Deserters*.

But, whatever the private Thoughts and Cabals may be of the Party which has ever oppos'd His Majesty's Right; a Republican must be the Cats-foot to serve the Zealots for a *French Monarchy*; who would be loath at this time, to be thought so regardless of our common Safety in his Majesty's Life, as to argue, That 15000 Men will bring a certain Ruine upon us, as if they were as many Millions: your Reasons for which, I shall not at present examine, since by the same Rule of Proportion, 15 Men will bring as certain Ruine as 15000; at least, you know, 50 Men brings it up to the Story of *Pissistratus*.

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And thus, by nearer consequence than any thing in your Argument, not only the Horse and Foot-Guards, but the Yeomen and Band of *Pensioners* ought to be dismiss'd; nor should any of our Maritime Towns be Garrison'd, but be left open, because Foreign Popish Princes are more to be trusted than a *Protestant King*.

But, Gentlemen! as you say of others, 'tis evident, all your Fear lyes one way; if there were any of that circumspection which becomes Wise Men, you would with your Friend, who has gently correct'd your Argument, have an Eye towards *France*: whose Truth I should rather call in question, than King *William's*. You may observe from your Friend, the Wealth of their Clergy, who would bleed freely for a Religious War; that the Poverty of the Nation may render their Armies the more formidable; and that the possibility is not remote of an Union between *France* and *Spain*: to which, I may add, That if this should happen, *Holland* must give up its Ships to the disposal of such a Neighbour, upon the Continent.

However, in the mean time, you would do well to teach our Admiralty, how many Ships they ought to place about *Falmouth*, or the *Lands-End*, and how many in the Channel: so that, one of the Squadrons shall not only be able to fall upon the *French*, from which soever of their Ports, or with whatever Wind they come; but, to be sure, that the Squadron which first meets 'em, shall not be beaten; or if it should be disabled, the Ships which remain, should repel the united Naval Force from *Thoulon*, as well as the Ports near our Coasts.

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I may here remind you of your Maxim; *What hapned yesterday, will come to pass again*: You know Foreigners have often Landed upon us with great Forces, in spite of all our precaution; and *Native* pretenders, of any Resolution, have seldom wanted great Numbers from abroad, to make 'em dangerous to them, who have been in possession of the Government. And there have been Times, when notwithstanding full notice of intentions of Invading us, the Arming at Land, and the utmost care of Naval Force, have not prevented the Landing of great Armies: for which, I need instance only the successful Attempt of *William I.* who, if we believe the most Authentic Historians of and near the time, Landed with 50000 Horse-men, or the better sort of Soldiers, besides Foot: yet it cannot be forgotten, that the

Pag. 5.

disaffected Party here, were in such readiness when the *French Armies* were kept at a Bay by the Allies, that they desired only 10000 from abroad.

Suppose at least that by a miracle, a great Foreign Force should Land among us, or come from *Scotland*, which is part of our Continent, what Provision have you made for receiving 'em otherwise, than with open Arms ?

No doubt you expect in an instant to commence better Engineers than Monsieur *Vauban*, to fortify your selves, or retake any of our Martine Towns, tho' fortify'd chiefly against the Land, as it were on purpose to try your Skill. No doubt a Roman Common-wealth wherein the Plough-man was *General*, and every Artificer a disciplined Soldier, will start up to support your *Regular Militia* : or else that, having in 'em all the valour of the Nation, 40000 which is not 1000 for every County in *England and Wales* (and by the *Militia-Laws*, are not to stir out of the County, but upon an Insurrection, Rebellion, or Invasion) will secure all places from Ravage, and then your 20000 kept in a Body, will be able to rescue the Spoil out of their Hands. After all, the mischief of it is, that you have not allow'd your 20000 *Heroes*, a Months time for making themselves as Expert Soldiers as they who were at the Siege of *Namur* : yet they may be allowed to bear Firing as well as the *Norfolk* and *Suffolk Militia* did, within time of Memory, upon the Landing of a *Dutch Company*.

But should Men something more inured to the Hardships and Dangers of War, be continued for the Encouraging and Disciplining these ; I would gladly know which would answer your pleasant Simile of Clipp'd Money ; and if the same Act of Parliament which provided for the longer subsistence of some of these Forces should prescribe a method for Regulating the *Militia*, would it not spoil a good Jest ? And would not your Story about the Voting Guards a Nuisance be Urged as wisely as those proceedings, not long since, when your *Steddy Patriots*, after full notice that there are 14 or 15000 Men in Pay, how big soever they talk'd, were so far from abating the Nuisance, that they Voted 700000*l.* besides the 200000*l.* of a former Summ, remaining Uncollected : which was by plain intendment for the continuance of the Nuisance ; which a certain Patriot would have coloured over with the pretence, that might be apply'd to the Navy.

But what greater absurdity can there be, than to argue from the safety in such *Militia's* as were of Old, to the present ? or how fairly do you represent your Friend Mr. *Harrington*, whom you pretend to follow, as laying the Foundation of his *Oceana* in a train'd *Militia* ; when it is a *Militia* which he would have established after the Example of the Ancients, to the setting aside of yours : which after all the noise, you make with it, not only is supply'd by Hirelings, but they from a small part of the Proprietors : In the Counties none are chargeable who have not 50 *l.* a year or 600 *l.* in Money, and in *Cities* only the House-keepers send ; who make the least part of the People who are concern'd for the defence of Property : and 'till very lately, the Papists and Nonswearers chose the Men who were to serve for them : and you know they would chuse such as they could rely on.

This *Militia* I must own is as well apply'd to your Notion, as your Stories : and you are as consistent with your selves as with Mr. *Harrington* : for whose *Ballance* of Power in Property of Land, you have devised such a *Ballance* as never was, nor will be : that is, if one can take it right, such a proportion

of natural strength in the Hands of each of your *States*, as shall of it self, without regard to the obligation of Laws and Duty, enable each of them to secure their share in the Government, and keep 'em together in a condition only not Immortal: and after all, this is not consistent with the care expressed for preserving the King as one of the *three States*: unless his Property be at least equal to either of the other: for the *Militia*, you say ought to be in the Proprietors, and where the *Militia* is, there you say will be the Government; upon this account, Friend of yours of greater calmness, but less caution, is so open as to argue, that the Crown ought not to be trusted with the *Militia*: but I leave it to him and you to agree, whether the *Militia* is now in the Hands of the King, or of the Nobility, Gentry and Freeholders.

Vid. of Militia's, & Standing Armies. Pa. 19 and 22. Argument re- Hissd.

And I shall leave it to your Friendly Corrector to convince you, that he has made the only conclusion to your premises, which is, that all the Males of the Nation should be brought to the use of Arms: I may add, the restoring this, which our Constitution required, would be a more effectual way than you propose, for securing our Liberties: and if the other part of the Constitution were maintain'd, requiring all to be Sworn to the King and Kingdom; it would secure the Crown, that our Liberty should not be turn'd into Licentiousness.

Argument. Pag. 20. Pag. 16.

But if you will stick to your new Friends, you must quit these great Points of that Constitution for which you seem so much concern'd: you may remember, they would have made an attempt of the first at *Boden Downs*, Treason, in the late Earl of *Warrington*; and the other comes too near an Oath of *Abjuration*, to be Relish'd by them.

As to your Examples and Applications; since you have put me upon Scriptural Allusions, I cannot but resemble 'em to *Nebuchadnezzar's* Vision, where the shining Image with a Golden Head, had Feet of Iron and Clay.

It may, possibly, be my misfortune to make an Inglorious Addition to your Triumph over their Confidence, who presume to offer any thing contrary to that with which you have a third time importun'd the publick: and whether this last pang be not a third Birth of the Mountain, neither you nor I are fit to determine.

Preface to the Second part of the Argument

But when Men have a warmth for an argument, some would be apt to resemble 'em to that happy *Athenian*, who fancy'd himself owner of all the Ships in the Harbour: 'tis certain matters the most distant and contrary, shall be press'd into the Service: nor has this more appear'd in your first Part, than in the second.

When the heat of your Argument is over, it might be no hard matter to convince you, how little reason you have to apply the concession of a Parliament 7 H. 3. about Wardships, to what were likely to be the consequence of a Parliament's trusting His Majesty with such Forces as they should judge necessary for the publick safety. Because notwithstanding the better Authority you have for this, than for most of your other Stories; it is a very great Question, whether the Act about Wardships was more than declaratory of that part of the Feudal Law received here long before.

2. Whatever of that kind was given to H. 3. there was not that necessity, which would be answerable for the consequences of what is now your only fear.

3. The

3. The consequences of a Confidence in such a Prince as *H. 3.* would be no Argument against trusting *W. 3.*

Second part.
Pag. 10.

As to the instance of the illegal Violences of *R. 2.* by an Arm'd Force; besides that, they were encouraged by the Opinions of such Judges as His Majesty has secured us against; and that the Force was such as any ill Prince may draw together without the assistance of Regular Troops, legally raised and kept up; the event is some confutation of your Argument: since his Life Guard of 4000 Archers, supported by *Westminster-hall*, were not able to keep the Crown upon his Head.

First part.
Pag. 1.

After all your Flourishes about our Guard of winged Coursers, which render *England*, tho' not surrounded with the Water, *Mediâ insuperabilis Undâ*: At last you are so condescending, to admit the French may Land 20000 Men in our Country: and why not as many as *W. 1.* Landed with?

Second part.
Pag. 20.

But then you will have it, that we must needs destroy their Shipping and cut off their Supplies: To be even with you in concessions; I will admit it certain that we shall be superiour at Sea, tho' our first Squadron should be disabled: But then you must agree to me, that if they Land, and with the Party they have here overturn the Government; even our Ships must come under them, or seek their Fortunes elsewhere.

Indeed as you can see no danger from the French; you have provided an Army to Beat 'em if they should Land upon us; and that without the help of your Train'd Militia: these are the Army of Scythe and Club-Men, who were ready to Encounter the French upon the false alarm of their Landing at the Island of *Purbeck*! Yet you should consider,

1. If these are able to resist a French Invasion, much more could they keep off the danger of such an Army at home, as you suppose would ruin us as certain as by twenty Millions.

2. The Consternation *London* was in when they thought the Disbanded *Irish* were coming thither; may convince you how different the case would be, if the French should Land near *London*, or only *King James's* his *Irish* Army; who have Fought very well when they had not their Bogs to fly to, and, at the decisive Battel justify'd your own Observation, that it was almost a miracle we Conquer'd 'em.

Yet I believe you are very much out in your Reck'ning, when you affirm, or insinuate, that we had 8000 Horse, and above 30000 Foot in *Ireland* for four Years before we Conquer'd 'em; the much less number with which Duke *Schomburg* Landed, and secured his Footing, 'till he could have farther Supplies; may be a farther confutation of your Argument, that a numerous Militia must needs Starve the Forces which can Land from abroad: besides you well know, that the *Irish Militia*, thro' our divisions here, and the artifices of some of your new Friends, had full time to become a disciplined Army, with the help of the French mix'd with 'em.

But, Gentlemen! since you will have it, that the *Irish Troops* are the French King's, and no Man but a publick Boutefeu, would have the confidence to say, he will lend them to *King James* to invade us; to convince you, that they will rather deserve this Character, who insinuate, that there is more danger from *King William*, and his Successor, upon the Act of Settlement; than from a Reconciled Enemy, by several Parliaments called the Ancient Enemy of this Realm;

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be pleased to read the last *Paris Gazette*, printed by Authority, which styles the *late King*, King of Great Britain; and our King only *the King*: but cannot surely, mean, the King of Great Britain; it being certain, there is but one such King. If therefore, we may credit the *Paris Gazette*, the *Irish* are still the *late King's* Subjects; and for *France* to suffer him to use his own Subjects, can be no lending them, and therefore, no infraction of the Peace; not to mention other plain consequences, which I hope, may be prevented: yet, it can hardly be thought, that wary *Gazetteer*, would so often, as he does, ascribe that Style to the *late King*, were it not from some assurance that there should be no Regular Troops to oppose him; or on purpose to encourage a Party to persist in their clamour against them.

The obvious consequences of this News from *France*, which I think none of you will deny, might serve for a confutation of all your labour'd Arguments: Yet if more be wanting to make you a little less assur'd of enjoying your Triumph; I may thank you for supplying me with the Authorities you have cited, or refer'd to, in your last Effort.

You may please to remember, in your First Part you had these words: *I believe no Man will deny, but if Charles I. had 5000 Men before-hand with us, Argument. the People had never struck a stroke for their Liberties.* Now, if I prove from your *Pag. 14.* own Authorities, that he had above 7000 Men before-hand, will it not be very unlucky?

You have thought fit, out of *Rushworth*, to cite Sir Robert Cotton's Advice to *Rushworth. Charles I.* who tells that King, the dangerous Distastes to the People, are not a f. 19. little improved by the unexampled Course, as they conceive, of retaining an Inland Army in Winter Season. If you look a little backward in *Rushworth*, you will find, of how many this Army so retained, consisted: this was the Army which had been in the unfortunate Expedition to the Isle of *Rhee*: for which, f. 427. they first Ship'd 6 or 7 thousand Land-Soldiers, and after, added 1600 Eng- f. 453. lish and Irish: Wherefore, notwithstanding our loss, it may well be supposed, that above 7000 remained: these, as you inform us from Sir Robert Cotton, were kept up: circumstances shew, it was in a time of Peace: 'twas in the Third of his Reign, before ever the People thought of securing themselves; and therefore the King had the greater opportunity of enslaving 'em: and tho' Charles I. then manifested his Arbitrary Disposition, had been beforehand with the People with such a Force, and was twelve years after subduing the Nation, by the help of his Clergy, Nobility and Gentry, who persuaded and enabled him, to keep off the Meetings of Parliaments; yet, that generous Horse, which you give for our Hieroglyphick, threw off its Rider; but, after its proud prancing in the Field, where it was goared with Wild Beasts, again shew'd it self manageable; till the Folly and Cruelty of the Hereditary Riders forc'd it, to chuse that gentle Hand, which no doubt, may soon trust it with a loose Rein.

What is now fit, is submitted to the Judgment and Provision of His Majesty and His Parliament: which, as it has declared, That the keeping a Standing Army within this Kingdom in time of Peace, unless it be with consent of Parliament, is against Law; admits the Supposition, That there may be good cause for keeping up Regular Forces, with such consent, even in Times of Peace; at least, while a Peace is young; and the means of preserving it, are under consideration.

Not here to repeat your Mistakes in Fact or Application, I shall desire
you

you to consider, Whether truth of History, and right Reason, will not render these Propositions as certain as any of your Maxims?

1. That all Governments are subject to such Accidents, as may at sometimes, require more than usual Confidence to be plac'd somewhere.

2. This may be requisite, not only in time War, but in the securest State of Peace, from Abroad; if there happen any violent Agitation of divided Parties, or Corruption in any of the Constituent Parts of the Government.

3. In case of Danger from Abroad, Distrust is more likely to be fatal than Confidence; and has the more frequently had such Effects.

4. The Choice and Interest of the People, ought to determine where the Confidence is to be placed; and this Choice and Interest more effectually preserve that manner, in which the King, Lords and Commons, are severally invested with Authority, than your imaginary Ballance between the *Natural* and *Artificial Strength*.

After all, Mankind is so subject to Error, and their Judgments of Things differ so much, according to the Light in which they are let; that if you had any consideration of this, and but the least spark of kindness for *Old Friends*; you would have been less forward in your Charge of *Apostasy*, against Men who have shewn a firmness to the *Liberties of their Country*, of which there are few Examples but among *Englishmen*. For my self, should I be as much mistaken both in Premises and Conclusion, as I think you are, and could make appear yet more fully; I shall hope never to lose the Character of that Zeal for the Publick, in which I can never yield to you: how much soever the undiminished *Stake provided for any one of you*, by his Ancestors, may place him above,

GENTLEMEN,

Your humble Servant

ERRATA.

Page 13. l. 18. for *became*, r. *became*. p. 15. l. 19. for *and*, r. *of*. l. 24. r. *Common Weal*. p. 16. l. 9. for *they*, r. *there*, p. 18. l. 24. for *Countries*, r. *Countries*. p. 19. l. 1. 7. and *Navy*. p. 20. l. 2. after *Tenure*, r. *and*. p. 30. l. 23. for *this*, r. *his*.